

FILED

MAR 13 2007

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DENNIS P. IANARONE, CLERK
US DISTRICT COURT, EDNC
BY CAROLINA DEP CLK

UNITED STATES DISTRICT COURT

EASTERN

District of

NORTH CAROLINA

UNITED STATES OF AMERICA

V.

ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT

MICHAEL SMITH

Defendant

Case Number: 4:95-CR-57-4F

Upon motion of the

GOVERNMENT

, it is ORDERED that a

detention hearing is set for

detention hearing is set for

3/16/2007

* at

10:00 am

Date _____

Time

before

THE HONORABLE DAVID W. DANIEL, US MAGISTRATE JUDGE

Name of Judicial Officer

IN GREENVILLE, NORTH CAROLINA

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal)

(_____) and produced for the hearing.

Other Custodial Official

Date:

3/13/2007

Judge

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.